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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,)
12) No. CR 09-0060 DLJ
Plaintiff,)
13) STIPULATION AND ORDER
v.) ORDER CONTINUING STATUS
14) DATE AND EXCLUSION OF TIME
15)
16 JEONG AH LEE and JAE PARK,)
Defendant.)
17

18 **STIPULATION**

19 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date in
20 this case, currently scheduled for Friday, September 4, 2009, at 9:00 a.m. before Honorable D.
21 Lowell Jensen, may be continued to Friday, October 23, 2009, at 9:00 a.m. for status or trial setting.
22 The reason for the continuance is that defense counsel for Mr. Park is still reviewing discovery and
23 needs additional time to meet with Mr. Park and conduct investigation before determining how to
24 proceed. In addition, counsel for Ms. Lee is unavailable on September 4, 2009 and counsel for the
25 government begins a trial on September 28, 2009 and is unavailable for approximately two weeks
26

1 starting September 28, 2009. A continuance to October 23, 2009, should give defense counsel for
2 Mr. Park the time needed to complete review of the discovery and be prepared to proceed and for all
3 parties to be present. The parties stipulate that the time from September 4, 2009, to October 23,
4 2009 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§
5 3161(h)(7)(A) and (B)(iv) for adequate preparation of counsel to allow defense counsel to continue
6 its review of the discovery and discussion with Mr. Park and for continuity of counsel.
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8
9 DATED: 9/01/09

/s/
JOYCE LEAVITT
Attorney for JAE PARK

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12 DATED: 9/01/09

/s/
JULIA JAYNE
Attorney for JEONG AH LEE

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15 DATED: 9/01/09

/s/
ANDREW HUANG
Assistant United States Attorney

18 I hereby attest that I have on file all holographed signatures for any signatures indicated by a
19 conformed signature (/s/) within this e-filed document.
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ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date in this case, currently scheduled for Friday, September 4, 2009, at 9:00 a.m. before Honorable D. Lowell Jensen, may be continued to Friday, October 23, 2009, at 9:00 a.m. for status or trial setting.

IT IS FURTHER ORDERED that the time from September 4, 2009, to October 23, 2009 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) for adequate preparation of counsel to allow defense counsel to continue its review of the discovery and discussion with Mr. Park and for continuity of counsel. The Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial and the failure to grant the requested continuance would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account due diligence.

SO ORDERED.

DATED: September 2, 2009


HONORABLE D. LOWELL JENSEN
United States District Judge